

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JANNIE P. LIGONS, on behalf of herself	)	
And a class of other similarly situation	)	
vicitims believed to include T.M., T.B.,	)	
C.R., F.M., R.G., C.J., and other African-	)	
American females,	)	
	)	
Plaintiff,	)	Case No. CIV-15- 1112 -HE
	)	
v.	)	Oklahoma County District Court
	)	Case No. CJ-2015-3365
DANIEL HOLTZCLAW, individually,	)	
THE CITY OF OKLAHOMA CITY,	)	
OKLAHOMA, a municipal corporation,	)	
	)	
Defendants.	)	

**NOTICE AND PETITION FOR REMOVAL**

**COMES NOW** Defendants the City of Oklahoma City, by and through its counsel, Richard C. Smith and Jennifer M. Warren, and Daniel Holtzclaw, by and through his attorneys, Susan A. Knight and Stacey Haws Felkner, and petition this Court for removal of this case to the United States District Court for the Western District of Oklahoma, from the District Court of Oklahoma County, where it was filed as Case Number CJ-2015-3365, pursuant to 28 U.S.C. § 1441(a) and L.Cv.R. 81.2 of the Local Rules of the United States District Court for the Western District of Oklahoma. In support of this Petition, Defendant City states the following:

**A. Introduction**

1. Plaintiff is Jannie Ligons and she is represented by Mark Hammons.

2. Plaintiff has brought this lawsuit against these Defendants. She filed a Petition in the District Court of Oklahoma County on June 17, 2015. She filed a copy of an Amended Petition on September 16, 2015. (Petition attached as Exhibit 1, Amended Petition attached as Exhibit 6).

3. Plaintiff served Defendant City with a copy of the Amended Petition and a Summons on September 17, 2015. (Summons attached as Exhibit 2.) Plaintiff served Defendant Holtzclaw on July 31, 2015. (Summons attached as Exhibit 3). A Return of Service for the Summons delivered to Defendants was filed on October 1, 2015 and is attached as Exhibit 7.

4. Plaintiff alleges that she and a class of other similarly situated individuals were subjected to violations of their Fourth and Fourteenth Amendment rights as a result of encounters with the individual defendant.

#### **B. Basis for Removal**

5. Removal is proper under 28 U.S.C. § 1441 because the Amended Petition indicates that the action is asserting claims under the United States Constitution. Therefore, the Amended Petition presents constitutional claims over which this Court has original jurisdiction under 28 U.S.C. §§ 1331 and 1343.

6. Defendant City files this notice of removal within the 30-day time period required by 28 U.S.C. §1446(b).

7. The undersigned have furnished Susan Knight, who will represent Defendant Holtzclaw, with a copy of this Notice and Petition for Removal. She agrees with the

removal and has authorized the undersigned to affix her signatures hereto.

8. Pursuant to 28 U.S.C. § 1446(a) and L.Cv.R. 81.2, a certified copy of the Docket Sheet from the District Court of Oklahoma County on Case No. CJ-2015-3365 is attached as Exhibit 4. At this time the undersigned counsel has inquired of the Clerk of the District Court of Oklahoma County, and the only pending Motion is a Motion to Stay (attached as Exhibit 5) filed by Defendant Holtzclaw on September 23, 2015, and currently set for hearing on October 30, 2015.

Respectfully Submitted,

Kenneth Jordan  
Municipal Counselor

/s/ Jennifer M. Warren  
Richard C. Smith, OBA# 8397  
Jennifer M. Warren, OBA# 30284  
Assistant Municipal Counselors  
200 N. Walker, 4<sup>th</sup> floor  
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Attorneys for Defendant City

Signed with Permission

s/ Susan A. Knight  
Susan A. Knight, OBA# 14594  
Stacey Haws Felkner, OBA# 14737  
211 N. Robinson, Suite 800N  
Oklahoma City, Ok 73102  
Attorney for Defendant Ligons

**CERTIFICATE OF FILING IN**  
**THE DISTRICT COURT OF OKLAHOMA COUNTY**

This is to certify that on the 6th day of October 2015, a true and correct copy of the above and foregoing Notice and Petition for Removal was hand-delivered to the Clerk of the Court of the District Court of Oklahoma County.

/s/ Jennifer M. Warren  
\_\_\_\_\_  
Assistant Municipal Counselor

**CERTIFICATE OF SERVICE**

I hereby certify that on the 6th day of October 2015, I electronically transmitted the attached Answer to the Clerk of the Court using the ECF filing system and transmittal of a Notice of Electronic Filing to the following ECF registrant: Mark Hammons, mark@hammonslaw.com; and Susan A. Knight, susanannknight@gmail.com, Attorney for individual defendant.

/s/ Jennifer M. Warren  
\_\_\_\_\_  
Assistant Municipal Counselor